

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ELIDA L. QUINONEZ, JOSE MARIA  
QUINONEZ and EDWIN QUINONEZ, On  
Behalf of Themselves and Each Employees  
Similarly Situated,

Plaintiffs,

V.

SYNTECOS INC. and SOJI SERVICES  
INC.,

Defendants.

CIVIL ACTION NO. H-05-610

## AGREED MOTION TO DISMISS WITH PREJUDICE

Plaintiffs Elida L. Quinonez, Jose Maria Quinonez and Edwin Quinonez ("Plaintiffs") and Defendants Syntecos Inc. ("Syntecos") and Soji Services Inc. ("Soji") (collectively "Defendants") file this Agreed Motion to Dismiss With Prejudice and move the Court for a dismissal of all causes of action raised in this case by Plaintiffs against Defendants, with prejudice against Plaintiffs to refile the same.

Plaintiffs and Defendants have informed the Court that, without any admission of liability, Defendants have agreed to pay, and Plaintiffs have accepted, a settlement amount based upon a calculation of back wages for the time period in question, consistent with the regulations promulgated by the U.S. Department of Labor, Wage & Hour Division and with Plaintiffs' assertion of the number of overtime hours worked each week. However, Defendants deny any liability as a result of Plaintiffs' lawsuit and deny that Plaintiffs are entitled to back wages, overtime pay, liquidated damages, attorneys' fees and expenses.

All matters in controversy between the parties have been compromised and settled, and all claims that Plaintiffs asserted or could have asserted against Defendants have been fully and finally released without any admission of liability by Defendants.

WHEREFORE, Plaintiffs and Defendants respectfully request that all causes of action in the above-entitled and numbered case be dismissed with prejudice.

Respectfully submitted,

OGLETREE ABBOTT LAW FIRM

BRACEWELL & GIULIANI LLP

By: /s/Lisa Sechelski

Lisa Sechelski

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By: /s/ Eden P. Sholeen

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Attorneys for Defendants,

Syntecos Inc. and Soji Services Inc.

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 26, 2006, I electronically transmitted the foregoing Agreed Motion to Dismiss With Prejudice to the District Clerk using the Court's electronic filing system. Based on the electronic records currently on file, a Notice of Electronic Filing will be transmitted to Plaintiff's counsel of record, as listed below.

Lisa Sechelski

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/s/ Eden P. Sholeen /s/

Eden P. Sholeen

